

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

John Doe,	)	
	)	
Plaintiff,	)	
	)	<u>NOTICE</u>
vs.	)	Civil Action No. 7:18CV00170
	)	
Virginia Polytechnic Institute and State University, et al,	)	
	)	
Defendant.	)	

To: Andrew T. Miltenberg, Jesse R. Binnall, Louise T. Gitcheva, Sarah E. York, Tara J. Davis

Rule 4(m) of the Federal Rules of Civil Procedure states "If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1) or to service of a notice under Rule 71.1(d)(3)(A)."

Pursuant to that rule, you are hereby given notice that the Court's record reflects that your complaint was filed on April 13, 2018 and as of this date, service has not been executed on defendant(s), Virginia Polytechnic Institute and State University, Timothy Sands, Frank Shushok, Jr., Ennis McCrery, Caroline Green, and Kyle Rose.

You have until July 12, 2018 to notify the Clerk of this Court that service has been accomplished on said defendants. Otherwise, the named defendants will be dismissed from the suit without prejudice by Order of this Court.

JULIA C. DUDLEY, CLERK

By: s/B. Weeks  
Deputy Clerk